

401 KAR 8:200. Microbiological monitoring.

RELATES TO: KRS 224.10-110, 40 C.F.R. 141.21, 141.52, 141.63, EO 2009-538

STATUTORY AUTHORITY: KRS 224.10-100(28), 224.10-110(2), 40 C.F.R. 141.21, 42 U.S.C. 300f-300j-26, EO 2009-538

NECESSITY, FUNCTION, AND CONFORMITY: [KRS 224.10-110\(2\)](#) requires the cabinet to enforce administrative regulations promulgated by the secretary for the regulation and control of the purification of water for public and semipublic use. EO 2009-538, effective June 12, 2009, establishes the new Energy and Environment Cabinet. This administrative regulation establishes a schedule and method for sampling drinking water to test for bacteriological contaminants and establishes maximum contaminant levels for bacteria. This administrative regulation also specifies requirements if tests show maximum contaminant levels have been exceeded. This administrative regulation is more stringent than the corresponding federal regulation in that a minimum of two (2) monitoring samples for total coliforms shall be taken each month.

Section 1. A public water system shall meet the requirements established in 40 C.F.R. [141.21](#), [141.52](#), and [141.63](#) except that a public water system shall take a minimum of two (2) coliform bacteria samples each month the system is in operation.

Section 2. A semipublic water system shall take a minimum of two (2) total coliform bacteria samples each month the system is in operation.

Section 3. Population served shall be determined by the appropriate method established in this section.

(1) A supplier of water serving an area defined by an official census count or population projection shall use the most recent census count or official population projection.

(2) If a supplier of water serves an area without available official figures for population of the area served, the population served shall be considered to be the greater of:

(a) A factor of not less than 2.97 times the number of residential meters; or

(b) A factor of not less than 2.47 times the total number of residential, commercial, and industrial service connections. (17 Ky.R. 614; Am. 1440; eff. 11-15-1990; 18 Ky.R. 1186; 1857; eff. 11-26-1991; 20 Ky.R. 3045; 21 Ky.R. 321; eff. 8-24-1994; 23 Ky.R. 2568; eff. 5-14-1997; 35 Ky.R. 1546; 2017; eff. 4-3-2009; 36 Ky.R. 2097-A; 2323; eff 6-3-2010.)